

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 2, 4-41 and 43-58 are currently pending and subject to examination. By this Amendment, Claims 4, 17, 18, 20, 22-26, and 39 have been amended. No new matter has been introduced.

Examiner Winter's courtesy extended to Applicants' representatives during telephone interviews conducted on June 20 and June 24, 2008 is gratefully appreciated. The interview summary has incorporated into this Amendment.

The Office Action dated March 25, 2008 raised questions regarding the priority date that the present invention claims. Based on the alleged uncertainty of an earlier priority date, Claims 2, 4-42, and 43-58 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent No. 5,329,920 to Hartrick et al. in view of U.S. patent No. 4,796,229 to Wolfe. It is noted that Claims 4, 17, 18, 20, 22-26 and 30 have been amended. Applicants respectfully submit that the claimed limitations of these claims have support in at least U.S. Patent No. 5,986,690 (hereinafter "the '690 patent"), to which the present application claims priority.

Regarding the support of "local authorization code" appearing in all independent claims, col. 8, lines 50-55 of the '690 Patent discloses "authorization to receive the data is provided by the cable headend or another distribution point," and "an authorization code may be sent in the serial digital bit stream." Col. 9, lines 3-11 of the '690 Patent further discloses that "the data will contain a key or unique ID number that matches the ID or key of the viewer 266," and such "matching of a unique key or ID number prevents

unauthorized transfer of text data from the memory storage unit to an unauthorized viewer.” That is, the data received by the receiver of either the library or the viewer contains a local authorization code (key or ID number) that is to be matched with the key or ID number of the viewer to transfer the text data to the viewer.

Accordingly, at least based on the above description, the feature of “a receiver module that receives a data signal and a local authorization code, wherein the data signal comprises an encrypted electronic book selection and wherein the local authorization code allow the data signal to be decrypted for viewing,” as recited in Claim 1 and similarly recited in the other independent claims has support in the ‘690 patent. Therefore, Applicants respectfully submit that the above features have support in the ‘690 patent and that based upon the filing date of the ‘690 patent, the outstanding rejections are now moot.

Based on the above, currently pending Claims 2, 4-41 and 43-58 are allowable over the cited art.

CONCLUSION


In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of all the pending claims, and the prompt issuance of a Notice of Allowance are respectfully requested.

Should the Examiner believe that anything further is necessary in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned

under 37 C.F.R. §1.136(a), and any fees required therefore are hereby authorized to be charged to our Deposit Account No. 01-2300 referencing docket number **026880.00024**.

Respectfully submitted,



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